1FW

#### **CERTIFICATE OF MAILING**

Deposited: August 17, 2005

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.



Susan Strickland

Attorney Docket No.: 01053

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

Justin et al.

Group:

1743

Serial No.:

10/695,550

Examiner:

N/A

Filed:

October 28, 2003

Customer No.:

35467

For:

TRANSPORT SYSTEM FOR TEST SAMPLE CARRIER

Mail Stop Amendment Commissioner of Patents P.O. Box 1450

Alexandria, VA 22313-1450

#### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

SIR:

In order to fulfill the requirements of candor and good faith set forth in 37 C.F.R. § 1.56, Applicants submit this Supplemental Information Disclosure Statement in accordance with the provisions of 37 C.F.R. §§ 1.97-and 1.98.

# **U.S. PATENT REFERENCES**

Patent No.: Inventor(s):		<u>Issue Date:</u>
5,670,375	Seaton et al.	09/23/1997
5,869,005	O'Bear et al.	02/09/1999
5,332,549	Macindoe Jr. et al.	07/26/1994

# **FOREIGN PATENT REFERENCES**

Patent No.:

**Publication Date:** 

Country:

EP0390192

10/03/1990

EP

# **NON-PATENT REFERENCES**

1. Patent Abstracts of Japan, Vol. 010, No. 157 (P-464) (June 6, 1986) & JP 61011631, Fuji Shashin Film KK, (January 20, 1986)

2. Patent Abstracts of Japan, Vol. 008, No. 113 (P-276), (May 26, 1984), & JP 59019838, Konishiroku Shashin Kogyo KK, (February 1, 1984)

The above-listed references have been cited by the International Searching Authority/European Patent Office in the International Search Report in a counterpart foreign application (PCT International Application No. *PCT/US04/26391*) prior to the filing of this Supplemental Information Disclosure Statement. A copy of the International Search Report and each of the above-listed references are enclosed herewith.

The above-listed references are also listed in Form PTO-1449 which is also enclosed herewith.

This submission is not an admission that the information disclosed in the references is material to the patentability of the invention disclosed and/or claimed in the above-identified application. Accordingly, Applicants respectfully submit that the application is in all respects in condition for examination on the merits.

The Commissioner is hereby authorized to charge any fees in connection herewith to

Deposit Account No. 50-0364.

August 17, 2005

Enclosures: PTO-1449 w/ <u>6</u> references European Search Report Respectfully submitted

amir R. Patel Reg. No. 44,998

bioMerieux, Inc. 100 Rodolphe Street Durham, NC 27712 Tel. (919) 620-2914

#### **U.S. PATENT DOCUMENTS**

Examiner Initial	Cite No. <sup>1</sup>	Patent Number	Issue Date	Patentee	Class/ Subclass	Filing Date
		5,470,375	09/23/1997	Seaton et al.		02/21/1996
		5.869.005	02/09/1999	O'Bear et al.		07/22/1996
		5,332,549	07/26/1994	Macindoe Jr. et al.	ľ	07/01/1992

#### **US PATENT APPLICATION REFERENCES**

Examiner	Application	Publication	Inventor	Class/	Filing
Initial	Number	Date		Subclass	Date
ł					

### FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATIONS

Examin Initial		Publication Date	Country or Patent Office	Class/ Subclass	Translation Yes/No
	EP0390192	10/03/1990	EP		

# OTHER DOCUMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)

Examiner Initial	Cite No. <sup>1</sup>	
		Patent Abstracts of Japan, Vol. 010, NO. 157 (P-464) (June 6, 1986) & JP 61011631, Fuji Shashin Film KK, (January 20, 1986)
		Patent Abstracts of Japan, Vol. 008, NO. 113 (P-276), (May 26,1984), & JP v59019838, Konishiroku Shashin Kogyo KK, (February 1, 1984)

EXAMINER		 DATE CONSIDERED

EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.